

**Robbins Geller
Rudman & Dowd LLP**

Chicago	Melville	Nashville	San Diego	Wilmington
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November 7, 2023

VIA ECF

The Honorable Judge Margo K. Brodie
United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Courtroom 6F
Brooklyn, NY 11201

Magistrate Judge Vera M. Scanlon
United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Room 1214 South
Brooklyn, NY 11201

Re: *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*,
No. 1:05-MD-1720 (MKB)(VMS)

Dear Judges Brodie and Scanlon:

I write on behalf of Rule 23(b)(3) Class Counsel (“Class Counsel”) in *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, MDL 1720 (E.D.N.Y.)(MKB) (VMS). As reported to the Court in the November 3, 2023 Status Report, it has recently come to our attention that unknown persons running the website settlement2023.org have been conducting an advertising campaign that appears to run afoul of the Court’s order regarding third-party filing companies and further appears to be engaging in false and misleading sales activities.

Class Counsel included details of the campaign in connection with the status report. By this letter we respectfully request the Court issue an Order to Show Cause as to why the entity should not immediately cease and desist their conduct, cancel all contracts they have with any potential claimant, and take further steps to correct their actions as detailed in the attached proposed order.

To date, the persons running the campaign (the website and the voicemail blast) have not responded to our many efforts to contact them. Multiple emails have been sent and a letter was also uploaded to the settlement2023.org website. Unfortunately, as of today, the website remains accessible despite Epiq’s efforts to issue a “take down” letter to GoDaddy under the Digital Millennium Copyright Act. Epiq reached out to GoDaddy and learned that GoDaddy was the registrar and not the host. They were provided with another entity serving as the site’s host, Hostinger, and a “take down” letter has been sent. As of today, the website is still operative. Class Counsel has attempted multiple ways to contact the person or persons running the false and misleading website, including an email to the only available address alerting the entity of this filing, but to no avail. We request the Court’s intervention in the hopes that this will cause them to cease and desist their conduct.

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Class Counsel is available to discuss this matter further, should the Court request.

Respectfully submitted,

/s/ K. Craig Wildfang
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/s/ H. Laddie Montague, Jr.
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/s/ Alexandra S. Bernay
Patrick J. Coughlin
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cc: All Counsel via ECF